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Docket: P/80-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: A. Carissimo

Serial No.: 09/777,078

Examiner: M. Shimizu

Filing Date: February 5, 2001

Art Unit: 2635

For: PAGER SYSTEM

Dated: October 12, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

TRANSMITTAL LETTER FOR APPEAL BRIEF

Sir:


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APPEAL BRIEF

Sir:

This is an Appeal from the decision dated April 15, 2005 of the Primary Examiner, finally rejecting the claims 1-3, 6-13, 17-21 and 23-30.

Real Party in Interest

The real party in interest is Adtech, LLC, 256 Farrington Avenue,
Sleepy Hollow, NY 10591.

Related Appeals and Interferences

There are no appeals or interferences related to the present
application.

Status of Claims

Claims 1-3, 9, 10, as amended by an Amendment dated August 5, 2003, Claims 25-30 newly added by Amendment dated August 5, 2003, Claims 11, 17, 20 and 21 as amended by an Amendment dated March 17, 2003, and Claims 6-8, 12-16, 18-19, 22-24 as amended by an Amendment dated October 3, 2002 are on appeal and set forth in the Appendix. Claims 4, 5, 14-16, and 22 have been cancelled.

Status of Amendments

No amendments have been filed subsequent to the final rejection mailed April 15, 2005.

Summary of Claimed Subject Matter

The present invention relates to an electronic paging system comprising: a receiver having a graphic display, a user interface, a transmitter, and a software programmer which uploads and downloads software to and from the transmitter and/or receiver using telecommunication lines or a wireless network, wherein the receiver stores information on how the user interacts with the receiver. *(Pg 3 lines 4-5, 9-11).*

The present invention relates to the above system further comprising: a charger, which uploads and downloads software to and from the software programmer using telecommunication lines or a wireless network. *(Pg 4 lines 9-12).*

The present invention relates to the above system wherein the receiver comprises modes of paging, advertising and interactive entertainment using two way communication with other receivers and devices. *(Pg 3 lines 6-8).*

The present invention relates to the above system wherein the interface comprises a keypad or touch panel display. *(Pg 3 lines 11-12).*

The present invention relates to the above system wherein the receiver can upload or download software and data to and from the charger. *(Pg 3 lines 13-14).*

The present invention relates to the above system wherein the receiver can upload or download software and data through conductive contacts. *(Pg 3 lines 14-15).*

The present invention relates to the above system wherein the receiver can perform a wireless upload or download to the transmitter, and/or wireless service provider. *(Pg 3 lines 15-17).*

The present invention relates to the above system wherein said receiver can perform a wireless upload or download to the charger. *(Pg 3 lines 15-17).*

The present invention relates to an electronic paging system comprising: a receiver having a display and a user interface; a transmitter; a software programmer which uploads and downloads software to and from the transmitter or receiver; and the transmitter informs the receiver of queue status including updated information as to where a user is in the queue. *(Pg 3 lines 4-5, 9-11, 18-19; Pg 4 lines 13-15).*

The present invention relates to the above system wherein the transmitter tracks the last several pages that were made. *(Pg 3 lines 19-20).*

The present invention relates to the above system wherein the transmitter can upload or download software through hard media. *(Pg 3 lines 20-21).*

The present invention relates to the above system wherein the transmitter stores information relating to interaction between the receiver and its users. *(Pg 4 lines 2-3).*

The present invention relates to the above system wherein a single charger can support many receivers at one time. *(Pg 4 lines 4-5).*

The present invention relates to the above system wherein the charger both charges and stores software. *(Pg 4 lines 5-6).*

The present invention relates to the above system wherein the charger stores information relating to interaction between the receiver and its users. *(Pg 4 lines 6-7).*

The present invention relates to the above system wherein the charger can upload or download software from the software programmer or other external systems through hard media. *(Pg 4 lines 7-8).*

The present invention relates to the above system wherein the charger can upload or download software and data through a telecommunication line. *(Pg 4 lines 9-11).*

The present invention relates to the above system wherein the charger can upload software and data through a wireless service provider. *(Pg 4 lines 11-12).*

The present invention relates to the above system comprising: a charger which uploads and downloads software to and from the software programmer using telecommunication lines or a wireless network. *(Pg 4 lines 9-12).*

The present invention relates to the above system wherein the receiver comprises modes of paging, advertising and interactive entertainment using two way communication with other receivers and devices. *(Pg 3 lines 6-8).*

The present invention relates to the above system wherein the transmitter comprises modes of communication with receivers and other devices. *(Pg 3 lines 18-19, 20-21, 23-24; Pg 4 lines 1-2).*

The present invention relates to the above system wherein the charger comprises modes of communication with receivers, transmitters and other devices. *(Pg 3 lines 13-14; Pg 4 lines 4-12).*

The present invention relates to the above system wherein the receiver is not stackable. *(Pg 3 lines 15-17).*

The present invention relates to the above system wherein the receiver is battery operated. *(Pg 6 lines 17-18).*

Grounds of Rejection to be Reviewed on Appeal

Claims 1, 9 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lovegreen et. al. (5,814,968) in view of Sibbitt (5,999,088).

Claims 11 and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lovegreen et. al. (5,814,968) in view of Sibbitt (5,999,088) and Chuang (5,987,421).

Claims 6, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lovegreen in view of Sibbitt as applied to claim 1 above, and further, in view of Diem (5,696,500).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lovegreen in view of Sibbitt as applied to claim 1 above, and further in view of Okayama et al. (6,157,316).

Claims 7-8, 10 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lovegreen in view of Sibbitt as applied to claim 2 above, and further in view of Okayama et al. (6,157,316).

Claims 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lovegreen in view of Sibbitt and Okayama et. al. (6,157,316) as applied to claim 2 above, and further in view of Diem.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lovegreen in view of Sibbitt as applied to claim 1 above, and further in view of McNally et al. (5,850,214).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lovegreen in view of Sibbitt as applied to claim 1 above, and further in view of Hymel (6,114,969) and Wicks (5,942,969).

Argument

Has the Examiner properly rejected claims 1, 9 and 29-30 as being obvious over Lovegreen et. al. (5,814,968) in view of Sibbitt (5,999,088).

The Examiner admits that Lovegreen does not teach a receiver with graphic display and the receiver storing information on how a user interacts with the receiver. Claim 1 requires the receiver have a graphic display and that the receiver stores information on how the user reacts with the receiver. The idea of the graphic display is to provide the user with information whether advertising or entertainment to keep the user at the location. Lovegreen does not teach or recognize this problem. Lovegreen deals with a means for paging a restaurant customer. Sibbitt relates to an information display pager which provides active entertainment for persons waiting for service. Neither Sibbitt nor Lovegreen teach a receiver which store information on how the user interacts with the receiver. There is nothing taught in either reference on why the references should be combined. Lovegreen teaches a paging system with flashing lights and does not teach a need for keeping the customer at the location where the pager is distributed. Sibbitt teaches a paging system with a graphic display, however, does not teach the other aspects of claim 1. Therefore, claim 1 is not obvious over Lovegreen in view of Sibbitt.

For the reasons stated above for claim 1, claim 9 is not obvious over Lovegreen in view of Sibbitt.

For the reasons stated above for claim 1, claim 29 is not obvious over Lovegreen in view of Sibbitt.

For the reasons stated above for claim 1, claim 30 is not obvious over Lovegreen in view of Sibbitt.

Lovegreen describes a pager system with flashing lights. There is nothing in Lovegreen to suggest a graphic display when the only function of Lovegreen's device is to alert the user that their table is ready.

The sections cited by the Examiner relate to the fact that "In the food services industry, restaurant owners are using both illumination coasters and paging coasters to improve the restaurant's atmosphere and the comfort of their customers. Paging coasters are given to patrons as they arrive for service to use as beverage coaster at the bar or other nearby reception areas while waiting to be seated at a table. Once the customer's table is ready, the server pages the customer by sending a signal to the coaster which causes internal lights to flash." The section also states that "The battery charger and electronic device assembly utilize a plurality of rechargeable electronic devices that can be electrically connected for recharging to a battery charger base unit either individually or simultaneously by stacking the electronic devices on each other to establish electrical connection through each device to the battery charger base unit. The electronic devices can be any rechargeable electronic device adaptable to include the internal circuitry, stackable surface and terminal configuration. These electronic devices include, but are not limited to, paging or message devices,

paging coasters, illumination coasters, walkie talkies, cellular phones, CD-ROM players, cassette tape players, and other rechargeable electronic devices.”

Col. 6 lines 43-51 states that “The example configuration shown in the figures place each base unit in electrical communication with a plurality of stacked electronic devices through the plurality of terminals in each device. This electrical communication facilitates transmitting any type of electrical communication signal to each device through terminals, such as alternating current or direct current to recharge the device, and data communication signals to reprogram the electronic device.”

Sibbitt relates to an information display pager. The apparatus provides active entertainment for persons waiting for service in which such persons are provided with an electronic pager assembly for notifying when service is available includes an electronically controllable pager assembly having a controllable screen display which is programmed with information likely to be desirable to a person holding the pager. A set of instructions enabling a person to access the information programmed in the pager assembly is printed on the assembly. The pager notification capability functions regardless of whether the information display is or is not active.

The pager assembly includes two display areas, one display area for an active pager screen display and another display area for presenting static information. The static display provides instructions about how to access available pager functions for controlling the active display. Examples of the type

of information displayed on the active pager screen display are restaurant menu items, advertisements, news headlines, sports, weather, movie schedules and entertainment news.

The Advisor Gold series pager has a plurality of individually addressable memory locations, typically 9 to 12, and each location has capacity for storage of up to about 400 characters. Each location can be remotely addressed and loaded with data thus allowing each location to be readily updated as desired. The pager is programmed to sequentially step through each topic or memory location and then to return to the first topic. Once a topic is selected, the user can repeatedly press the button to scroll through all information stored under that topic, or in the selected memory location.

In the illustrated embodiment, the enclosed pager uses non-rechargeable batteries which must be periodically replaced which necessitates the separability of the housing.

Has the Examiner properly rejected claim 11 and 25-28 as being obvious over Lovegreen et. al. (5,814,968) in view of Sibbitt (5,999,088) and Chuang (5,987,421).

The Examiner states that both Lovegreen and Sibbitt do not disclose that the transmitter informs the receiver of queue status including updated information as to where a user is in the queue.

Chuang discloses a device used for managing queues in spacious locations such as the amusement park industry where multiple locations are required to

distribute handheld transceivers, as noted in Chuang (col. 14, line 63, plurality of registration devices). His hardware requirements are specific to large areas with multiple queue locations and are impractical when scaled down to establishments with only one queue. Furthermore, Chuang does not foresee the entertainment feature of the hand held device.

Chuang relates to having a person make a reservation for an amusement park ride. Chuang does not solve the problem addressed by the present invention which is to entertain a user at a single establishment so that the user waits on line and does not leave the establishment. Chaung allows the user to leave the establishment and come back when their reservation on line is ready. Therefore, Chaung teaches against what is taught in the present invention. Further, there is nothing in any of the above prior art references which teaches the combination of the references. Whereas Lovegreen teaches a pager and Sibbitt teaches a pager with a display, Chuang teaches a means for registering for positions within a line. Therefore, claim 11 is not obvious over the prior art. None of the prior art references teach a receiver having a display, and a user interface, a transmitter, a software programmer, where the transmitter informs the receiver of the user's status in the queue.

Based on the arguments above for claim 11, claims 25-28 are not obvious over the above prior art references.

Has the Examiner properly rejected claims 6, 13 and 17 as being obvious over Lovegreen in view of Sibbitt as applied to claim 1 above, and further in view of Diem (5,696,500).

The Examiner admits that Lovegreen in view of Sibbitt does not teach a keypad or touch panel display, and said transmitter can download software through hard media, diskette, telecommunication line and wireless service provider, and said transmitter stores information relating to interaction between said receiver and its users.

Diem discloses a remote multi media terminal, (col. 4 lines 5-16) but the purpose of Diem's device is in an educational environment or corporate environment to transmit presentations. As evidence Diem states that the multimedia presentation "find applications ranging from educational and informative presentations" (col. 1 lines 12-13). As further evidence Diem states that "multimedia systems generally utilize a work station, personal computer, or portable computer" (Col. 1 lines 17-18) due to the large file sizes required (col. 1 line 19). Diem is referring to Microsoft PowerPoint type application which have never been considered in a restaurant environment.

To use a remote programmer in the restaurant environment is new and novel and could not have been foreseen since every existing idea only focuses on local networks for restaurant paging due to the concept that restaurants only require paging to inform their customers that their table is ready. The system of

the present invention allows restaurants and other businesses or individuals to communicate with and entertain the restaurants patrons.

In addition, Diem discloses a device that communicates from the multi-media terminal (116) to the paging terminal and then to the receiver. Diem does not suggest the need for a communication path in the opposite direction, from the receiver to the paging terminal to the multi-media terminal, because Diem's application does not require this feature.

Diem states that the multi-media terminal is preferably a personal computer or a computer workstation. The central processing unit includes a mass storage device such as a hard disk drive for the storage of the multi-media files. There is provided a multi-media receiver that includes a receiver for receiving messages, text events, graphics events, audio events and multi-media commands transmitted over a radio frequency channel. The multi-media receiver includes a memory, that stores the messages received.

As stated above, Diem teaches a device for an educational environment or corporate environment to transmit presentations. There is nothing in Diem which teaches the combination with Lovegreen and Sibbitt. Diem does not recognize the problem solved by the present invention of entertaining a user while they are waiting in line to be seated at an establishment. There is no reason to combine a device taught in Diem which teaches about educational and corporate presentations with Sibbitt and Lovegreen which teach a device used in a restaurant establishment.

Claim 6 requires that the interface have a keypad or touch panel display. There is no teaching in Lovegreen or Sibbitt to add a keypad or touch panel display taught by Diem. Further, there is no teaching for the combination of references above. Also, for the reasons stated above for claim 1, claim 6 is not obvious over Lovegreen in view of Sibbitt and further in view of Diem.

Claim 13 relates to the system of claim 1 wherein said transmitter can upload or download software through hard media. Regarding claim 13, Diem could not have foreseen using remote programmers in the restaurant industry. In addition Diem discloses a wired link as the communication link (118). Diem does not teach using hard media since the long time to mail software would defeat the advantages of Diem's wireless protocol applications. This is further evidence that Diem did not foresee his system in an environment where the software upgrade is not as time sensitive. In many circumstances for a restaurant, the transmitter software updates are required over a period of days and not minutes.

For the reasons stated above for claim 1 and the reasons stated above, claim 13 is not obvious over Lovegreen and Sibbitt in view of Diem.

Claim 17 relates to the system of claim 1 wherein said transmitter stores information relating to the interaction between the receiver and its users. For the reasons stated above for claim 1, claim 17 is not obvious over Lovegreen and Sibbitt in view of Diem.

Has the Examiner properly rejected claim 2 as being obvious over Lovegreen in view of Sibbitt as applied to claim 1 above, and further in view of Okayama et al. (6,157,316).

The Examiner admits that Lovegreen in view of Sibbitt does not disclose a charger, which uploads and downloads software to and from said software programmer using telecommunication line or wireless network.

Okayama relates to a selective call receiver with rechargeable battery. A selective call receiver includes a receiver circuit for receiving calling information and message information, a processor for processing the calling information to determine whether the calling information identifies the selective call receiver, a message memory for storing the message information if the processor determines that the calling information does identify the selective call receiver, a message information output circuit for outputting the message information stored in the message memory to a portable data processing apparatus, a rechargeable battery for powering the selective cell receiver, a detector for detecting a state of charge of the rechargeable battery, and a charging circuit, responsive to the detector, for charging the rechargeable battery with the power received by the power receiving terminal from the portable data processing apparatus.

The invention provides a selective call receiver powered by a rechargeable battery which is charged by power received from a portable data processing

apparatus, and having the capability of transferring message information which it has received to the portable data processing apparatus.

The invention states that when the user wants to charge the battery of the receiver, or to input message information stored in the message memory of the receiver into the apparatus, he inserts the receiver into the PCMCIA card slot of the apparatus, thereby connecting the receiver to the PCMCIA interface and establishing the bus and power supply interconnections between the receiver and the apparatus.

When the user wants to display or process the message information stored in the message memory with the apparatus, he inputs an appropriate operating instruction to the apparatus via the keyboard or the mouse. In response to this operating instruction, the CPU of the apparatus outputs a message information request to the MPU of the receiver via the PCMCIA interface. In response to the message information request, the MPU reads the message information stored in the message memory and outputs the message information to the CPU via the PCMCIA interface. The CPU receives the message information, stores it in the display memory, and displays it on the display.

Okayama does not teach the problem solved by the present invention as stated above. Further there is no teaching in any of the references to combine with Okayama.

Regarding claim 2, the present invention requires the use of a charger with a remote software programmer which is not taught by Lovegreen.

Lovegreen discloses the charger in a local paging network and does not teach the need or use of remote access to the local restaurants paging system. Sibbitt also does not disclose the charger claimed in claim 2. Further, there is nothing in Lovegreen nor Sibbitt which suggests the use of such a charger and to combine with the teachings of Okayama. Therefore claim 2 is not obvious over Lovegreen in view of Sibbitt and Okayama.

Has the Examiner properly rejected claims 7-8, 10 and 18-21 as being obvious over Lovegreen in view of Sibbitt as applied to claim 2 above, and further in view of Okayama et al. (6,157,316).

Claim 7 depends on claim 2 and requires that the receiver can upload or download software and data to and from said charger. For the reasons stated above for claim 2, claim 7 is not obvious over Lovegreen in view of Sibbitt and Okayama.

Claim 8 depends on claim 2 and requires that the receiver can upload or download software through conductive contacts. For the reasons stated above for claim 2, claim 8 is not obvious over Lovegreen in view of Sibbitt and Okayama.

For the reasons stated above for claim 2, claim 10 is not obvious over Lovegreen in view of Sibbitt and Okayama.

Claim 18 relates to the system of claim 2 wherein a single charger can support many receivers at one time. For the reasons stated above for claim 2, claim 18 is not obvious over Lovegreen in view of Sibbitt and Okayama.

Claim 19 relates to the system of claim 2 wherein said charger both charges and stores software. For the reasons stated above for claim 2, claim 19 is not obvious over Lovegreen in view of Sibbitt and Okayama.

Claim 20 relates to the system of claim 2 wherein said charger stores information relating to the interaction between the receiver and its users. For the reasons stated above for claim 2, claim 20 is not obvious over Lovegreen in view of Sibbitt and Okayama.

Claim 21 relates to the system of claim 2 wherein said charger can upload or download software from said software programmer or other external systems through hard media. For the reasons stated above for claim 2, claim 21 is not obvious over Lovegreen in view of Sibbitt and Okayama.

Has the Examiner properly rejected claims 23-24 as being obvious over Lovegreen in view of Sibbitt and Okayama et. al. (6,157,316) as applied to claim 2 above, and further in view of Diem.

The Examiner admits that Lovegreen in view of Sibbitt and Okayama does not disclose said charger can download software through telecommunication line and wireless service provider.

Claim 23 relates to the system of claim 2 wherein said charger can upload or download software and data through a telecommunication line. For the reasons stated above for claim 2, claim 23 is not obvious over Lovegreen in view of Sibbitt, Okayama and Diem. Lovegreen does not disclose transfer of software between the charger and receiver but not in a system that includes a charger

also receiving information from a remote software programmer. As stated previously, there is no suggestion to combine the teachings of Lovegreen, Sibbitt and Okayama and further to combine with Diem.

Claim 24 relates to the system of claim 2 wherein said charger can upload software and data through a wireless service provider. For the reasons stated above for claim 2, claim 24 is not obvious over Lovegreen in view of Sibbitt, Okayama and Diem.

Has the Examiner properly rejected claim 12 as being obvious over Lovegreen in view of Sibbitt as applied to claim 1 above, and further in view of McNally et al. (5,850,214).

The Examiner admits that Lovegreen in view of Sibbitt does not disclose said transmitter tracks the last several pages that were made.

McNally relates to a clipboard which informs customers when their table is ready and displays information regarding the status of particular tables as opposed to customers. The system allows paging of beeper equipped customers directly from the operator interface on the clipboard and communication to and from various input/output transmitters and receivers to update the status of the lights on the clipboard. McNally does not teach tracking the last several pages that were made.

Claim 12 depends on claim 1 and further requires that the transmitter tracks the last several pages that were made. Based on the arguments above for claim 1, claim 12 is not obvious over Lovegreen and Sibbitt in view of

McNally. Further, there is no reason taught in any of the references to combine the references since they are not looking to solve the problem of the present invention.

Has the Examiner properly rejected claim 3 as being obvious over Lovegreen in view of Sibbitt as applied to claim 1 above, and further in view of Hymel (6,114,969) and Wicks (5,942,969).

The Examiner admits that Lovegreen in view of Sibbitt does not disclose mode of paging, advertising, and interactive entertainment using two-way communication with other receivers and devices.

Hymel relates to a method in a selective call radio for presenting advertisement messages and coupons. A SCR capable of communicating with a communication center includes a RF receiver, a presentation circuit and a processor. The processor is adapted to select an advertisement source from a plurality of advertisement sources, select an information service from a plurality of information services, cause the RF receiver to receive from the communications center advertisement information and a message originating from the information service, and cause the presentation circuit to present information to a user of the SCR representative of the message and advertisement information, and the information service and the advertisement source selected.

Radio communication systems that transmit selective call messages to SCRs (selective call radios), such as cellular phones and pagers, have been in

use for some time now. The type of selective call messages transmitted to SCRs range anywhere from personal messaging (e.g., pages, telephonic messages) to information services (e.g., advertising, news, weather). The SCR comprises an antenna for transmitting and intercepting RF signals to and from the communications center, and a RF transmitter coupled thereto.

In the event a match is detected, the processor stores the message in the RAM, and a call alerting signal is generated depending on the type of message received. The message can be accessed by the user through user controls. By the use of appropriate functions provided by the user controls, the message is recovered from the RAM, and conveyed to the user by way of a prosecution circuit, which includes, for example, a display (e.g., a conventional liquid crystal display, LCD) for visualizing messages and an audio circuit for audio messages.

Preferably, the advertisement information consists of indexes which point to an advertisement message and coupon information stored in the SCR. The selection process at the SCR is controlled by the user of the SCR who associates advertisement sources and information services by way of user preferences. The user of the SCR is forced to view advertisement information each time information service messages are received from the information services that were enabled. The SCR presents the advertisement message to the user of the SCR prior to displaying the message received from the information service.

First, there is nothing in Lovegreen to suggest a graphic display and further to suggest providing advertising and interactive entertainment. Further,

Hymel does not provide interactive entertainment, but forced advertising when you receive a message. Therefore, for the reasons stated above, claim 3 is not obvious over Lovegreen in view of Sibbitt and Hymel.

Regarding Wicks, Wicks relates to a treasure hunt game using pager and paging system. Game participants receive information and clues from the paging system directing them to a particular landmark or location. Once there, the participants signal the system with a response which is dependent on their being at the correct location. The paging system then additionally determines that the participant is transmitting from roughly the correct location. When the participant is thus verified as being at the correct location, the next clue is transmitted to the participant. This continues until a participant correctly deciphers all the clues and arrives at the end of the game.

When the service provider receives a request to page a user, the page is broadcast by all the base stations in the system. Thus, if the pager is located anywhere in the service area, it will receive the page. The pager will then alert the user that a page has been received, for example, an audible or vibratory alert signal. In a more sophisticated system, the pager may have the capability to not only receive a transmission from the service provider's system, but also to transmit an answer back to the system. This is referred to as two-way paging. The patent states that there is a need for a pager technology that can be used to provide recreational gaming for pager users. The method may also comprise the steps of inputting the answer to one of the pages and transmitting the answer to

the paging system with the pager. Under the principles of the invention, the pager user may arrange with the service provider to participate in a treasure hunt or other game with his or her pager. The treasure hunt is thus organized and scheduled by the service provider who may advertise the game, notify the potential players, offer prizes, and accept participants.

Regarding claim 3, Wicks does not teach a receiver which provides advertising and interactive entertainment. Wicks provides a pager which is used to provide clues to a user on a treasure hunt.

Therefore, claim 3 is not obvious over Lovegreen in view of Sibbitt and Wicks. Further, there is no teachings in any of the references to combine any of the references nor do any of the references teach the problems solved by the present invention.

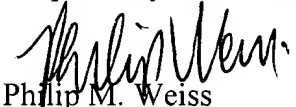
Reversal of the Examiner and allowance of all the claims are accordingly respectfully requested.

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APPENDIX

This listing of the claims will replace all prior versions, and listings of claims in the application.

In the Claims

1. (Previously presented) An electronic paging system comprising:
a receiver having a graphic display, and a user interface;
said receiver storing information on how said user interacts with said receiver;
a transmitter; and
a software programmer which uploads and downloads software to and from said transmitter and/or receiver using telecommunication lines or a wireless network.

2. (Previously presented) The system of claim 1 further comprising:
a charger, which uploads and downloads software to and from said software programmer using telecommunication lines or a wireless network.

Claim 3 (Previously presented) The system of claim 1 wherein said receiver comprises modes of paging, advertising and interactive entertainment using two way communication with other receivers and devices.

Claim 4 (cancelled)

Claim 5 (cancelled)

Claim 6 (Previously presented) The system of claim 1 wherein said interface comprises a keypad or touch panel display.

Claim 7 (Previously presented) The system of claim 2 wherein said receiver can upload or download software and data to and from said charger.

Claim 8 (Previously presented) The system of claim 2 wherein said receiver can upload or download software and data through conductive contacts.

Claim 9 (Previously presented) The system of claim 1 wherein said receiver can perform a wireless upload or download to said transmitter, and/or wireless service provider.

Claim 10 (Previously presented) The system of claim 2 wherein said receiver can perform a wireless upload or download to said charger.

Claim 11 (Previously presented) An electronic paging system comprising:
a receiver having a display and a user interface;
a transmitter;
a software programmer which uploads and downloads software to and from said transmitter or receiver; and
said transmitter informs said receiver of queue status including updated information as to where a user is in the queue.

Claim 12 (Previously presented) The system of claim 1 wherein said transmitter tracks the last several pages that were made.

Claim 13 (Previously presented) The system of claim 1 wherein said transmitter can upload or download software through hard media.

Claim 14 (cancelled)

Claim 15 (cancelled)

Claim 16 (cancelled)

Claim 17 (Previously presented) The system of claim 1 wherein said transmitter stores information relating to interaction between said receiver and its users.

Claim 18 (Previously presented) The system of claim 2 wherein a single charger can support many receivers at one time.

Claim 19 (Previously presented) The system of claim 2 wherein said charger both charges and stores software.

Claim 20 (Previously presented) The system of claim 2 wherein said charger stores information relating to interaction between the receiver and its users.

Claim 21 (Previously presented) The system of claim 2 wherein said charger can upload or download software from said software programmer or other external systems through hard media.

Claim 22 (cancelled)

Claim 23 (Previously presented) The system of claim 2 wherein said charger can upload or download software and data through a telecommunication line.

Claim 24 (previously amended) The system of claim 2 wherein said charger can upload software and data through a wireless service provider.

Claim 25 (Previously presented) The system of claim 11 further comprising: a charger which uploads and downloads software to and from said software programmer using telecommunication lines or a wireless network.

Claim 26 (Previously presented) The system of claim 11 wherein said receiver comprises modes of paging, advertising and interactive entertainment using two way communication with other receivers and devices.

Claim 27 (Previously presented) The system of claim 11 wherein said transmitter comprises modes of communication with receivers and other devices.

Claim 28 (Previously presented) The system of claim 25 wherein said charger comprises modes of communication with receivers, transmitters and other devices.

Claim 29 (Previously presented) The system of claim 1 wherein said receiver is not stackable.

Claim 30 (Previously presented) The system of claim 1 wherein said receiver is battery operated.